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Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

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OPINION 139

The names *Cephus* Latreille, [1802-1803] and
Astata Latreille, 1796, in the Hymenoptera
added to the Official List of Generic Names

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INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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* This vacancy was caused by the death on 23rd May, 1939, of Dr. Witmer STONE (U.S.A.).

† This vacancy was caused by the death on 24th January, 1941, of Dr. Charles Wardell STILES (U.S.A.), *Vice-President of the Commission* and former Secretary to the Commission (1897-1935).



OPINION 139.

THE NAMES *CEPHUS* LATREILLE, [1802-1803], AND *ASTATA* LATREILLE, 1796, IN THE HYMENOPTERA ADDED TO THE OFFICIAL LIST OF GENERIC NAMES.

SUMMARY.—The suppression of the Erlangen List (Opinion 135) invalidates the name *Astatus* Jurine, 1801 (type: *Sirex pygmaeus* Linnaeus, 1758) and in consequence the name *Cephus* Latreille, [1802-1803],* of which the same species is the type, becomes available nomenclatorially. The name *Cephus* Latreille, with type as indicated, is hereby added to the Official List of Generic Names, together with *Astata* Latreille, 1796 (type: *Tiphia abdominalis* Panzer, [1798]).

I.—THE STATEMENT OF THE CASE.

The problem presented by the names *Cephus* Latreille, [1802-1803] and *Astatus* Jurine, 1801, arose from the action of Morice and Durrant (1915, *Trans. ent. Soc. Lond.* 1914 : 339-436) in publishing a facsimile of the so-called Erlangen List and drawing attention to the large number of names for which fresh type designations were required if (as those authors considered should be the case) those names were to be treated as having been validly published for the first time in that work.

2. No. 9 of the 48 genera enumerated in the Erlangen List was *Astatus* Jurine. Two species were cited for this genus as follows:—“*Sirex pygmaeus*. *Banchus spinipes* Panzer (*Banchus viridator* Fabric. *inedit.*” Morice and Durrant pointed out (*ibid.* 1914 : 383) that the above names both apply to a single species, *Sirex pygmaeus* Linnaeus, 1767 (*Syst. Nat.* (ed. 12) 1 (2) : 929) and therefore that

* At the time of the meeting of the International Commission at Lisbon in 1935, it was believed that the date of publication of volume 3 of Latreille, in Sonnini's *Buffon, Hist. nat. gén. partic. Crust. Ins.*, in which the name *Cephus* Latreille was first published, was 1802, but Griffin has since shown (1938, *J. Soc. Bibl. nat. Hist.* 1 : 157) that, notwithstanding the fact that this volume is dated “An X”, it was almost certainly not published until “An XI” and therefore that this volume must have been published on same date in the period 22.ix.1802-21.ix.1803. For particulars showing how to convert dates from the French Republican calendar into the Christian calendar, see Griffin, 1939, *ibid.* 1 : 249.

that species was automatically the type of *Astatus* Jurine, that genus being in effect monotypical.

3. The conclusions reached by Morice and Durrant were discussed by Professor James Chester Bradley in a paper published in 1919 (*Trans. ent. Soc. Lond.* 1919 : 56-57). The following is an extract from that paper of the passage dealing with the names *Astatus* Jurine and *Astata* Latreille, 1796 :—

ASTATA Latr., 1796 = [*Astatus* Latr., 1796, *erratum*] = [*Dimorpha* Jur., 1801].

TYPE : [*Tiphia abdominalis* Panz.] = [*Sphex*] *boops* Schrank = *Astata boops* (Schrank) Spinola. The genus was described without species, and *abdominalis* was the first subsequently included.

The genus *Astata* of Latreille is valid and dates from 1796. Latreille printed the name *Astatus* (1796 : 114), but in the same work (1796 : xiii) states : " Page 114, au lieu d'*Astatus* lisez *Astata*." We can therefore hardly hold that he has preoccupied *Astatus* Jurine, 1801, a group of sawflies. Nor can the latter be considered as establishing species for *Astata* Latr., since the species therein contained do not come under the generic definition of *Astata*.

ASTATUS Jur., May 1801, *nec* Panzer, July, 1801, Konow, etc. = *Cephus* Latr., 1802 = *Trachelus* Jur., 1807.

TYPE : *Sirex pygmaeus* L. = *Astatus pygmaeus* (L.) Jur. = *Cephus pygmaeus* (L.) Latr.

The two species originally included in *Astatus* are identical.

4. The revolutionary changes in the nomenclature of the Hymenoptera that would be involved in the acceptance of the Erlangen List led Professor Chester Bradley to consult the leading systematic workers in all countries on the course of action to be pursued. This action, which was initiated in 1928, led in due course to the submission to the International Commission of petitions relating to this and certain other cases signed by Professor Chester Bradley and 59 other Hymenopterists. The text of the petition relating to the present case reads as follows :—

THE CASE OF CEPHUS VERSUS ASTATUS.

" In 1834 Norman established the group Cephites for *Cephus* Latr., 1802, and allies, and in 1840 Haliday gave the group the family name of CEPHIDÆ, by which name it has been known to most subsequent authors.

" The contained genus *Hartigia* Schioedte, 1838 (*Nat. Tidsskr.* 2 : 332) and its synonym *Macrocephus* Schlechtendal, 1878 (*Ent. Nachr.* 4 : 153), have been made types of the group called Macrocephides by Konow, 1896, and HARTIGIINÆ by Enslin, 1914.

" The type of *Cephus* Latr., 1802, is *Sirex pygmaeus* L., a sawfly which is also the type of *Astatus* Jurine, May 1801, *nec* Panzer, July, 1801. *Cephus* Latr., 1802, is therefore a synonym of *Astatus* Jurine, 1801.

" One would conclude that therefore the family name CEPHIDÆ must be replaced by ASTATIDÆ (Art. 5 of the International Code), were it not for the following facts : *Astata* Latr., 1796, is an entirely different genus, having for its type *Tiphia abdominalis* Panzer = *Astata boops* (Schrank)

Spinola, an aculeate wasp. The genus was described without species, and *abdominalis* was the one first subsequently included. The genus *Astata* of Latreille is valid and dates from 1796 (Opinion 46, Intern. Comm. on Nomenclature). Latreille printed the name *Astatus* (1796 : 114) but in the same work (1796 : xiii) states : 'Page 114, au lieu d'*Astatus* lisez *Astata*.' We can therefore hardly hold that he has preoccupied *Astatus* Jurine, 1801, a group of sawflies. Nor can the latter be considered as establishing species for *Astata* Latr., since the species therein contained do not come under the generic definition of *Astata*.

" In 1845 Lepeletier established a group of aculeate wasps, *Astatites*, based on *Astata* Latr., 1796. This was treated by Thomson, 1870, as a family, *ASTATIDÆ*, by Ashmead, 1899, and Rohwer, 1916, as a subfamily *ASTATINÆ* and must at present be recognised as a group of at least tribal value.

" From the foregoing it is evident that there then exists within the order Hymenoptera a family of sawflies, ordinarily known as *CEPHIDÆ*, to which the regulations of the International Code require that we now apply the name *ASTATIDÆ* (with *Astatini* for the typical tribe or subfamily if the group is further divided, as is done by Konow), and a group of aculeate wasps which also bear the tribal, subfamily or family name *ASTATINI*, *ASTATINÆ* or *ASTATIDÆ* according to the rank which they are given.

" The International Code does not specifically provide against identical names for pleural groups, higher than genus, but it would seem to be obvious common sense and in accordance with the entire spirit of the International Code to refuse to recognise as valid two such group names, and particularly within a single order. To have a tribe of *SPHEGIDÆ* called *ASTATINI*, and a family of sawflies called *ASTATIDÆ* with its tribe *ASTATINI*, would be so confusing and so obviously contrary to the spirit of all laws on nomenclature as to need the specific provision of the Code to prevent its occurrence.

" Since *Astata* Latr., 1796 (the wasp) is an older genus than *Astatus* Jurine, 1801, (the sawfly) shall we recognise *ASTATINI* as a tribe of wasps, based on the type genus *Astata* Latreille, 1796, and consider *ASTATIDÆ* based on *Astatus* Jurine, 1801, as an invalid name for the group of sawflies ordinarily known as *CEPHIDÆ* ?

" *Trachelus* Jurine, 1807 (*N. Meth. class. Hymenopt.* : 72) is a second synonym of *Astatus*, and is therefore equally unavailable with *Cephus* as type of the family to replace *Astatus*.

" The Code is silent¹ in regard to the method of determining the type genera of families. The practice of some authors is to recognise only the oldest contained genus within the family as type. If this principle were applied to the sawflies in question, *Astatus* (with its synonyms *Cephus* and *Trachelus*) being unavailable for the reasons above stated, the next oldest name *Cepha* Billberg, 1820 (*Enum. Ins. Mus. Billberg* : 98) (of which the type is *Sirex tabidus* Fabricius (1775, *Syst. Ent.* : 326); see Rohwer : *Ent. News* 22 : 218) would become type genus of the family and by a rare circumstance the established name of the group, *CEPHIDÆ*, would again become available.

" It is the practice of other authors, applying the principle of priority to designation of the type genera of families, to recognise as the type genus of any family (or group intermediate between genus and family) the contained genus that was first established as the basis of a plural name of higher than generic rank. Of these sawfly genera the first used in this way was *Cephus* (Latr., 1802) by Newman in 1834 to form a group he called *Cephites*. Ruling it out as a synonym of *Astatus*, and *Astatus* as

¹ This question has since been settled by the International Commission in Opinion 141. See pp. 57-65 of the present volume of Opinions.

unavailable for reasons above stated, we find that the genus next used for the basis of a group name was *Hartigia* Schioedte used by Enslin in 1914 as a basis for the subfamily HARTIGIINAE.*

"Whatever the decision of the Commission in this case may be, it is apparent that an attempt to proceed under the Code must result in confusion. We therefore request the Commission to:

- (1) suspend the rules in the case of the genera of sawflies *Cephus* Latreille, 1802, and *Astutus* Jurine, 1801.
- (2) permanently reject *Astutus* Jurine, 1801, because of its similarity to *Astata* Latreille, 1796, and the resulting confusion that would ensue if subfamily and family names, necessarily of identical form, were built on each, and because *Cephus* has been in universal use since 1802 for the genus of sawflies which under the Code should be called *Astutus*,
- (3) validate *Cephus* Latreille, 1802, type *Sirex pygmaeus* L., and with it the family name CEPHIDAE, because these names have been in universal use, and a change from them would cause needless confusion,
- (4) place *Cephus* Latreille, 1802, type *Sirex pygmaeus* on the Official List of Generic Names, for the genus of sawflies ordinarily known by that name.

"* This case is discussed, but with a different conclusion by Bradley; *Trans. ent. Soc. Lond.* 1919: 56-58, and the list of references therein given will also serve for the references made above." ¹

5. The following is a copy of the list of signatures attached to the above petition at the time of its submission to the International Commission:—

C. T. Brues	R. Benoist *	H. Haupt
Jos. Bequaert	J. D. Alfken *	H. Brauns †
G. Grandi	A. Krausse	L. Berland
A. B. Gahan *	H. Wolff	A. A. Oglobin
T. H. Frison *	J. G. Betrem	O. W. Richards
A. R. Park *	R. Fouts	P. P. Babiý
H. H. Ross *	G. Arnold	V. S. L. Pate
J. M. Dusmet	A. Handlirsch	J. C. Bradley
W. M. Wheeler *	I. Micha	G. Enderlein
G. T. Lyle	H. Hacker	T. Uchida †
R. A. Cushman *	A. C. Kinsey *	O. Vogt †
E. A. Elliott	H. de W. Marriott	H. Habermehl †
A. Crevecoeur	F. Maidl	R. Kruger †
W. M. Mann	P. Roth	W. Hellen †
R. Friese	E. Enslin	F. X. Williams †
H. von Ihering †	A. von Schulthess	O. Schmiedeknecht †
A. C. W. Wagner	R. B. Benson *	N. N. Kuznezov-
H. Hedicke	H. F. Schwarz	Ugamtsky †
H. Bischoff	W. V. Balouf *	F. E. Lutz
L. Masi	D. S. Wilkinson *	L. H. Weld *

* In accord with results sought by the petition without having studied the points involved in the particular case.

† Evidently intended to subscribe to this petition, but sheet bearing his signature was not included in his reply.

‡ Deceased.

¹ The passage here referred to by Professor Chester Bradley is quoted in full in paragraph 3 of the present Opinion.

6. This case was circulated to the members of the International Commission in January 1935, when it was arranged that it and the other Hymenoptera cases submitted at the same time should be dealt with at the meeting of the Commission due to be held at Lisbon in September of that year, by which time the recommendations of the International Committee on Entomological Nomenclature would be available.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

7. This case was considered by the International Committee on Entomological Nomenclature at its meeting held at Madrid in the second week of September 1935 during the Sixth International Congress of Entomology. After careful consideration the Committee decided to frame its recommendations to the International Commission on Zoological Nomenclature, first on the assumption that the Commission would agree to use its plenary powers to suppress the "Erlangen List", in which the name *Astabus* Jurine, 1801, was published, and second on the assumption that the Commission would not be able to see its way to deal with the problem in this radical fashion. If the first of these courses were taken by the International Commission, there would be no necessity to suspend the rules in order to secure the desired object in this case, since *Astabus* Jurine, 1801, would cease to be available nomenclatorially immediately the Erlangen List was suppressed and in consequence the name *Cephus* Latreille, 1802-1803, would at once become the oldest available name for the genus of sawflies in question. The International Committee recommended that in this event the International Commission should dispose of this case by placing the name *Cephus* Latreille, type *Sirex pygmaeus* Linnaeus, 1767, on the Official List of Generic Names. If, however, the International Commission did not suppress the Erlangen List, it would be necessary for the Commission to act in the way recommended in the petition submitted in this case. The International Committee accordingly recommended that in that event the International Commission should proceed in that manner.

8. These and other resolutions adopted by the International Committee at its meeting held at Madrid were subsequently confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held at Madrid on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

9. At their meeting held at Lisbon on the morning of 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 13), the International Commission unanimously agreed to use the plenary powers conferred upon them by the Ninth International Congress of Zoology at Monaco in 1913 in order to suppress the Erlangen List.* When therefore at their meeting held on the afternoon of the same day (Lisbon Session, 3rd Meeting, Conclusion 2) the Commission came to consider the present case, they found that there was no need to make use of the plenary powers in order to secure the desired object, since, owing to the suppression of the Erlangen List and, with it, of the name *Astatus* Jurine, 1801, the name *Cephus* Latreille, [1802-1803]† had become available nomenclatorially. It followed also that the name CEPHIDÆ replaced the name ASTATIDÆ as the name of the family of Chalastogastra containing the wheat-stem sawfly, long-accepted usage thereby being preserved.

10. The Commission accordingly decided to dispose of this case by rendering an Opinion placing on the Official List of Generic Names the undermentioned nomenclatorially available generic names, with types as shown each of which had been duly designated in accordance with the provisions of the International Code of Zoological Nomenclature :—

<i>Name of genus</i>	<i>Type of genus</i>
(1) <i>Cephus</i> Latreille, [1802-1803], † (in Sonnini's <i>Buffon</i>) <i>Hist. nat.</i> <i>gén. partic. Crust. Ins.</i> 3: 303	<i>Sirex pygmaeus</i> Linnaeus, 1767, <i>Syst. Nat.</i> (ed. 12) 1 (2) : 929 ‡ (monotypical)
(2) <i>Astata</i> Latreille, 1796, <i>Précis</i> <i>Caract. Ins.</i> : xiii	<i>Tiphia abdominalis</i> Panzer, [1798], <i>Faun. Ins. germ.</i> (53) tab. 5 (type designated by Latreille, [1802-1803] † (in Sonnini's <i>Buffon</i>) <i>Hist. nat. gén. partic. Crust. Ins.</i> 3: 336; no species were included by Latreille in 1796; the above was the sole species included in [1802-1803] and is therefore the type.)

* See Opinion 135.

† The corrected date [1802-1803] is here given and not the date 1802, which at Lisbon was believed to be the date of this name. See footnote to the Summary of the present Opinion.

‡ This generic name was misspelt *Syrex* in the version of the Commission's report published in the *Compte Rendu* of the Twelfth International Congress of Zoology (1936 : 190). On the same occasion the date of this name was erroneously given as 1758.

11. The foregoing decisions were embodied in paragraph 25 of the Report which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission (Lisbon Session, 5th Meeting, Conclusion 6) unanimously agreed to submit to the Twelfth International Congress of Zoology. This Report was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology by which it was unanimously adopted at the Concilium Plenum of the Congress held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

12. The Opinion as set out in paragraph 10 above was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Meeting of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.
 Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

13. The present Opinion was dissented from by no Commissioner or Alternate present at the Lisbon Meeting. Nor since that Meeting has any Commissioner who was not present on that occasion indicated disagreement with the conclusions then reached by the Commission in this matter.

14. The following five (5) Commissioners who were neither present at the Lisbon Meeting of the International Commission nor were represented thereat by Alternates did not vote on the present Opinion :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT OPINION.

WHEREAS the By-Laws of the International Commission on Zoological Nomenclature provide that, except in cases involving the Suspension of the Rules, an Opinion is to be deemed to have been adopted by the said International Commission as soon as a majority of the Members of the Commission, that is to say ten (10)

Members of the said Commission, have recorded their votes in favour thereof, provided that, where any proposed Opinion involves a reversal of any former Opinion rendered by the Commission, such proposed Opinion shall obtain the concurrence of at least fourteen (14) Members of the Commission voting on the same before such Opinion is to be deemed to have been adopted by the Commission; and

WHEREAS the present Opinion neither requires, to be valid, the Suspension of the Rules, nor involves a reversal of any former Opinion rendered by the Commission; and

WHEREAS twelve (12) Members of the Commission have signified their concurrence in the present Opinion either in person or through Alternates at the Meeting of the Commission held in Lisbon in September 1935 :

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me by reason of holding the said Office of Secretary to the International Commission, hereby announce the said Opinion on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as Opinion Number One Hundred and Thirty-Nine (Opinion 139) of the said Commission.

In faith whereof, I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present Opinion.

DONE in London, this twentieth day of December, Nineteen Hundred and Forty Two, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

NOTICES.

The undermentioned publications of the International Commission on Zoological Nomenclature are obtainable at the Publications Office of the Commission, 41, Queen's Gate, London, S.W. 7 :—

- OPINION 134. On the method to be adopted in interpreting the generic names assigned by Freyer to species described in his *Neuere Beiträge zur Schmetterlingskunde*, 1833-1858 . price 8d.
- OPINION 135. The suppression of the so-called "Erlangen List" of 1801 . price 8d.
- OPINION 136. Opinion supplementary to Opinion 11 on the interpretation of Latreille's *Considérations sur l'ordre naturel des animaux composant les classes des Crustacés, des Arachnides et des Insectes avec un tableau méthodique de leurs genres disposés en familles*, Paris, 1810 . price 1s. 0d.
- OPINION 137. On the relative precedence to be accorded to certain generic names published in 1807 by Fabricius and Hübner respectively for identical genera in the Lepidoptera Rhopalocera price 1s. 6d.
- OPINION 138. On the method by which the amendment to Article 25 of the International Code adopted by the Budapest Meeting of the International Zoological Congress, relating to the replacement of invalid names, should be interpreted price 1s. 6d.
- OPINION 139. The name *Cephus* Latreille, [1802-1803] and *Astata* Latreille, 1796, in the Hymenoptera added to the Official List of Generic Names . price 2s. 6d.

- OPINION 140. On the method of forming the family names for *Merops* Linnaeus, 1758 (Aves) and for *Merope* Newman, 1838 (Insecta) price 2s. 0d.
- OPINION 141. On the principles to be observed in interpreting Article 4 of the International Code relating to the naming of families and sub-families price 2s. 6d.

NOTE :—Opinions One to One Hundred and Thirty-Three (Opinions 1-133) rendered by the International Commission on Zoological Nomenclature were not published by the Commission itself owing to lack of funds. Through the intermediary of the late Dr. C. W. Stiles, at that time Secretary to the International Commission, the Smithsonian Institution very kindly came to the aid of the Commission and agreed to publish the Opinions in the *Smithsonian Miscellaneous Collections*. Unfortunately, all except a few of the later of the above Opinions are now out of print, and are therefore not obtainable by working zoologists. In order to remedy the serious position so created, it is proposed, as soon as funds are available, to reprint Opinions 1 to 133 as Volume 1 of *Opinions Rendered by the International Commission on Zoological Nomenclature*.